

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION**  
**INTER-OFFICE MEMO**

**October 09, 2007**

**TO: Beverly Najarian, Director**

**DEPT: Administration**

**FROM: Dennis Gerstmeyer, Acting Chairman**

**DEPT: Division of Motor Vehicles**

**SUBJECT: HEARING BOARD RESULTS Revised**

**Please be advised of the following matters which were heard before the Board on Thursday , September 27, 2007. Also be advised the following people were present during the hearing: Joseph I. Monteiro, Chief, Enforcement/ Regulations and Legal Counsel Marcy Coleman, Esq., Division of Legal Services and the hearing Board members: James Botvin, Dennis Gerstmeyer and Lt. David Palmer of The Rhode Island State Police.**

**Absent: Thomas Ricci  
Walter Craddock, Esq.**

**MEETING OF SEPTEMBER 27, 2007 AT 9:00 AM**

**DIVISION OF MOTOR VEHICLES – 100 MAIN ST. PAWTUCKET, RI  
02860**

**1. BIG LOT AUTO SALES ( Edward P. Tarbox, Pres. / Daniel Stone,  
Esq.)**

**REQUEST FOR 23 ADDITIONAL “USED” PLATES. CASE #KR-07-241  
( LICENSED SINCE 05-18-07; HAS 3 PLATES.**

**DECISION: Request for 23 additional plates has been granted subject  
to Big Lot Auto Sales maintaining the number of employees and sales  
at the current level or higher.**

**2. SHANNON MOTORS “BRANCH” ( John Gosselin, Pres. / John De  
Simone, Esq.)**

**TRANSFER APPLICATION. CASE #KR-07-216**

**FROM: 708 ELMWOOD AVENUE, PROVIDENCE, RI**

**TO: 40-48 RESERVOIR AVENUE., PROVIDENCE, RI**

**1ST CONTINUED TRANSFER HEARING.**

**DECISION: The Board has approved the transfer application subject  
to the dealer obtaining a lease or deed to the property and a second  
hand license, construction of a 10 foot by 16 foot stand alone heated  
shed within 90 days of receipt of the official decision and site  
inspection. `**

**3. IRAME JEAN-FRANCAIS V. WESTMINSTER MOTORS, LTD. ( Victor**

**Ramos, Pres.)**

**COMPLAINT / SHOW CAUSE HEARING. CASE #DS-07-066**

**1ST CONTINUED HEARING**

**Postponed at the request of Howard Lee Schiff, Esq., attorney for Westminster Motors, LTD.**

**PAGE 2 OF 2**

**HEARING MINUTES**

**4. GARY FINCKE V. 1010 AUTO SALES ( Lisa Rothermel, Pres.)**

**COMPLAINT / SHOW CAUSE HEARING.**

**REMANDED HEARING. DOA CASE #07-MVHB-001**

**DECISION: The Board has determined that 1010 Auto Sales must pay Gary Finke the amount of \$2432.05 as they had engaged in unconscionable acts during the sale and subsequent repair of the vehicle in violation of RIGL § 31-5-11 (10).**

**The Board has revoked 1010 Auto Sales' license to do business for their repeated failure to appear before the Board as requested, numerous prior violations and the finding that 1010 Auto Sales engaged in unconscionable business practices in this case..**

**5. AUTOSTORE MOTOR SALES ( Daniel Shabo, Pres. / John Harwood,**

**Esq.)**

**SHOW CAUSE HEARING. CASE #KR-07-237**

**1ST RESCHEDULED HEARING.**

**Rescheduled due to a lack of quorum as a result of Lt. David Palmer recusing himself from the hearing because of his involvement in a pending case as a member of the RI State Police concerning Autostore Motor Sales and Daniel Shabo, President.**

---

**Dennis Gerstmeyer, Acting Chairman**

**Cc: Charles Dolan, Administrator, DMV**

**John DiTomasso, Assistant Administrator, DMV**

**Joseph I. Monteiro, Chief Enforcement/Regulations, DMV**

**Marcy Coleman, Esq., Division of Legal Services, DOA**

**File**